

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF OKLAHOMA

FILED  
at \_\_\_\_\_ O'clock & \_\_\_\_\_ min \_\_\_\_\_ M

OCT 27 2005

THERESE BUTHOD, CLERK  
United States Bankruptcy Court  
Eastern District of Oklahoma

IN RE:

RENTAL DEPOSITS

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General Order No. 51

**ORDER REGARDING RENTAL DEPOSITS**

The Court's policy regarding payment of rental deposits with the Clerk, pursuant to 11 U.S.C. § 362 (i)(1) is as follows: This section of the Act adds a new exception to current automatic stay provisions regarding leases and is only applicable to any eviction or similar proceeding against a debtor/tenant if the landlord has obtained a judgment for possession of the leasehold prior to the date of the filing of the petition.

The debtor's petition must indicate whether the pre-petition judgment for possession has been obtained and may assert that a right to cure is available under state law.

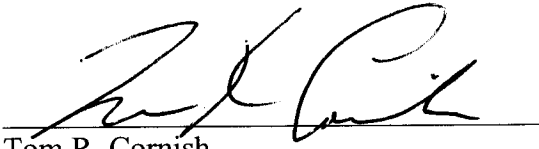
The Act requires the debtor must deposit with the Clerk of the Court, any rent that would become due during the 30-day period after the filing of the bankruptcy petition. In those cases which 11 U.S.C. § 362 (i)(1) is applicable.

The procedure in the Eastern District of Oklahoma where this court handles the rent is outlined below:

1. With the petition, the Debtor must file with the clerk: a certified cashier's check or money order made payable to the lessor (cash is not accepted), and
2. A copy of the judgment for possession.

The Clerk shall then log the check and scan an image of the check and docket in the case. The Clerk shall then confirm the check is made payable to the party listed on the petition and shall transmit the check via certified mail with return receipt requested, to the lessor to the address listed on the petition.

Dated this 27<sup>th</sup> day of October, 2005.

  
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Tom R. Cornish  
United States Bankruptcy Judge